

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Labour Employment Training & Factories Department – Sri M. Chandrasekhara Rao, formerly Assistant Commissioner of Labour, Warangal – Trap Case – Acquitted in Crl.Appeal No. 1128/2002, High Court of Andhra Pradesh, Hyderabad – Dropping of the Charges duly setting aside the Punishment Orders and treating the suspension period as not on duty – Orders - Issued.

LABOUR EMPLOYMENT TRAINING AND FACTORIES (VIG) DEPARTMENT

G.O.Ms.No. 37

Dated:01-05-2010

Read the following:-

1. From the D.G, ACB, Lr Rc.No. 43/RCT –WWIL/97, dt.3-5-1997.
2. G.O.Rt.No.1070, LET & F (Lab.IV) Dept, dt. 14.5.1997.
3. From the D.G.ACB. Lr Rc. No. 43/RCT – WWL/97-S5, dt.16.10.1977.
4. G.O.Ms No. 66 L.E.T. & F (Lab-IV) Deptt, dt 25.11.1977.
5. Reprn of Sri M. Chandrasekhara Rao, DCL under suspension, dt:20.05.99.
6. Govt Memo No. 430 – Lab-IV/A1/99-1, DL 29.5.99.
7. From the DG, ACB Lr. Rc.No. 43/RC.T WWL/97, dt. 11.06.99,9.8.99 and 23.9.99.
8. G.O.Rt.No. 1972 LET& F (Lab-IV) Deptt,dt.5.11.99.
9. From the DG,ACB, Lr.RC.No. 43/RCT-WWL/1997-S5,Dt 25.11.2002,
10. G.O.Ms.No. 10, LET & F (Emp) Deptt, dt. 13.2.2003.
11. From the DG, ACB. Lr.RC.No.43/RCT-WWL/1997, dated.26.11.2009.
12. Reprn from Sri M. Chandrasekhara Rao,ACL (Retd), Hyderabad, dt.10.12.2009.

ORDER:

In the reference 1st read above, it was brought to the notice of the Government that Sri M.Chandrasekhara Rao, Assistant Commissioner of Labour, Warangal- II was trapped by Anti Corruption Bureau officials when he demanded and accepted an amount of Rs. 8,000/- as bribe from the complainant Dr. V. Mohan Reddy C.A.S, M.G.M. Hospital, Warangal for showing official favour and requested to issue suspension orders of the Accused Officer. Accordingly Sri M.Chandrasekhara Rao, was suspended from service in the reference 2nd read above.

2. In the reference 3rd read above, the Director General, Anti Corruption Bureau in his final report recommended to prosecute the Accused Officer, in a Court of Law. In the reference 4th read above, prosecution orders were issued to prosecute Sri M. Chandrasekhara Rao in a court of Law.

3. In the reference 5th read above, Sri. M. Chandrasekhara Rao has submitted a representation to Government with a request to issue necessary orders for reinstatement in to service, as per orders in force, as he has been kept under suspension for the last 2 years and he is also fully co-operating with the Prosecuting Agency .

4. In the reference 6th read above, the Director General, Anti Corruption Bureau was requested to furnish his remarks on the representation of the Accused Officer as he was kept under suspension from 18.5.1997.

5. In the reference 8th read above, Sri M. Chandrasekhara Rao was reinstated into service without prejudice to the trial of the Case pending against him and posted to non-focal post as furnished remarks by Director General, Anti Corruption Bureau vide reference 9th read above.

6. In the letter 9th read above, the Director General, Anti Corruption Bureau has informed that the Court of Principal Spl Judge for SPE & ACB Cases at Hyderabad pronounced the Judgment convicting Sri M. Chandrasekhara Rao, Assistant Commissioner of Labour, (Retd), Warangal and requested to take necessary action to dismiss the Accused Officer, from service on the ground of conduct which led to his conviction on criminal charge. Accordingly in the

G.O. 10th read above orders were issued to impose the punishment of withholding pension and gratuity and other pensionary benefits in full permanently of Sri. M. Chandrasekhara Rao as he was retired from service.

7. In the letter 11th read above, the Director General, Anti Corruption Bureau while sending a copy of the Judgment of the High Court of Andhra Pradesh, dt.4.8.2009 in Crl Appeal No.1128/2002 filed by the Accused Officer allowed by the High Court of Andhra Pradesh has opined that this is not a fit case for preferring SLP in the Supreme Court of India, as the impugned Judgment is neither perverse nor there is any substantial question of law involving public importance. The Director General, Anti Corruption Bureau has therefore recommended to initiate departmental action against the Accused Officer.

8. Government after careful examination of the matter and taking the material into consideration and the recommendations of the Director General, Anti Corruption Bureau have decided to drop the charges against Sri.M.Chandrasekhara Rao, Assistant Commissioner of Labour, (Retd) Warangal duly setting aside the punishment orders and treating the suspension period as not duty and also without paying the back wages as per sub-rule (3) of Rule 54 A of Fundamental Rules as amended in G.O.Ms.No.2, Fin (FR.II) Department, dated 04.01.2006 as the employee was acquitted by the court on benefit of doubt.

9. Accordingly, Government hereby direct the charges against Sri M. Chandsekhar Rao, Assistant Commissioner of Labour (Retd), Warangal be dropped duly setting aside the punishment orders and treating the suspension period as not duty and also without paying the back wages as per sub-rule (3) of rule 54 A of Fundamental Rules as amended vide G.O.Ms.No.2, Finance (FR.II) Department, dated 04.01.2006.

10. The Commissioner of Labour shall take further action in the matter immediately.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

BHANWAR LAL
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri M. Chandrasekhara.Rao, Assisant Commissioner of Labour, (Retd) Warangal,
through the Commissioner of Labour, Hyderabad,
The Commissioner of Labour, Hyderabad.,
The Director General, Anti Corruption Bureau, Hyderabad.
The Secretary, Andhra Pradesh Vigilance Commission,
PA to Deputy Secretary.
SF/SC

//FORWARDED :: BY ORDER//

SECTION OFFICER